

RESOLUTION 2002-03 SESSION

Resolution Number	Date of Meeting	Title of Resolution	Action	Response of Administration
* 02/01	5/10/02	A Resolution to Amend the <u>Faculty Code</u> of The George Washington University to Provide a Requested Statement of Reasons to Long-Term Contract Faculty Upon Nonrenewal of Their Appointments	Adopted 5/10/02	This does not appear to serve the best interests of the University. The Administration respectfully continues to study the matter.
02/2	9/13/02	A Resolution on the Proposed Restructuring of University Governance	Adopted 9/13/02	Overtaken by events.
02/3	10/11/02	A Resolution on the Regulatory Compliance Help & Referral Line	Adopted, as amended 10/11/02	Accepted.
02/4	11/8/02	A Resolution on Changes to the <u>Faculty Organization Plan</u>	Adopted 11/8/02	Yes.

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RESOLUTIONS 2002-03 SESSION

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02/01	5/10/02	A Resolution to Amend the <u>Faculty Code</u> of The George Washington University to Provide a Requested Statement of Reasons to Long-Term Contract Faculty Upon Nonrenewal of Their Appointments	Adopted 5/10/02	
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RESOLUTIONS -- 2002-03 Session

Resolution No.	Date of Meeting	Title of Resolution	Action	Response of administration
02/01	5/10/02	A RESOLUTION TO AMEND THE <u>FACULTY CODE OF THE GEORGE WASHINGTON UNIVERSITY</u> TO PROVIDE A REQUESTED STATEMENT OF REASONS TO LONG-TERM CONTRACT FACULTY UPON NONRENEWAL OF THEIR APPOINTMENTS (02/01)	Adopted 5/10/02	
02/02	9/13/02	A Resolution on the Proposed Restructuring of University Governance	Adopted 9/13/02	
02/3	10/11/02	A Resolution on the Regulatory Compliance Help & Referral Line	Adopted, as amended 10/11/02	
02/4	11/8/02	A Resolution on Changes to the Faculty Organization Plan	Adopted 11/8/02	

**Resolution
No.**

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Action

Response of administration

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**A RESOLUTION TO AMEND THE FACULTY CODE OF THE GEORGE
WASHINGTON UNIVERSITY TO PROVIDE A REQUESTED STATEMENT OF
REASONS TO LONG-TERM CONTRACT FACULTY UPON NONRENEWAL
OF THEIR APPOINTMENTS (02/01)**

WHEREAS, Article II of the Faculty Code provides a guarantee of academic freedom to all members of the faculty, including those members who do not have tenured or tenure-accruing appointments ("contract faculty"); and

WHEREAS, Article V.A. of the Faculty Code provides that each appointment of a contract faculty member for a definite period of service expires (subject to certain qualifications) upon completion of the stated term of the appointment; and

WHEREAS, granting a contract faculty member with nine or more years of full-time service the right to request a written statement of reasons for the nonrenewal of his or her appointment will encourage decision-making based on sound reasons, while preserving appropriate flexibility in terminating faculty members without tenure; and

WHEREAS, it is fair and reasonable to inform a long-term, full-time member of the contract faculty of the reasons for a nonrenewal decision, upon request; and

WHEREAS, among other reasons, a long-term, full-time member of the contract faculty might request such a written statement for the reasonable purpose of showing potential future employers that the University decided not to renew his or her appointment based on declining enrollment or other relevant curricular or programmatic considerations, and not because of incompetence, substandard performance or misconduct; **NOW, THEREFORE,**

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY THAT THE FACULTY CODE BE AMENDED AS FOLLOWS:

1. That Article V.B. of the Faculty Code be amended by adding a new paragraph 2, to read as follows:

2. **Providing Information as to the Basis for the Nonrenewal of Certain Appointments.**

If a decision is made not to renew a regular, active-status faculty member who has served in a full-time, non-tenure-accruing status for nine or more years, that faculty member is entitled, upon request, to obtain a written statement of the reasons for the decision.

2. That existing paragraphs 2 and 3 of Article V.B. of the Faculty Code be redesignated as paragraphs 3 and 4 thereof.

Committee on Professional Ethics and Academic Freedom
April 19, 2002

Adopted, May 10, 2002

A RESOLUTION ON THE PROPOSED RESTRUCTURING OF UNIVERSITY GOVERNANCE (02/2)

WHEREAS, the President has informed the Executive Committee that he intends to create a new office of Provost. Based on the information provided, the Executive Committee understands that the contemplated position of Provost would divide the responsibilities of the Office of the Vice President for Academic Affairs, assuming control of academic matters with respect to the Law School, the Medical School, and the School of Public Health and Health Services; and

WHEREAS, the President has requested, through the Faculty Senate Executive Committee, faculty response to the administration's proposed changes to the structure of the administration and specifically those positions with responsibility for and oversight over academic units; and

WHEREAS, the Executive Committee has reviewed and discussed with colleagues on the Faculty Senate and in their respective schools the information provided by the President; and

WHEREAS, with respect to those aspects of the proposed restructuring applicable to the academic units the Faculty Senate is persuaded that:

1. A convincing case for the establishment of the position of University Provost with academic control over three of the schools has not been made.
2. The practical removal of three of the schools from the current jurisdiction of the Office of the Vice President for Academic Affairs would be detrimental, dividing the schools of the University academically and strategically.
3. The proposed new administrative structure, by dividing academic oversight between two senior officials, would severely hinder the implementation of the Strategic Plan, supported by the Board of Trustees, the administration and the faculty, whose execution requires full and unified participation of all schools.
4. The appointment of a Provost as described to the Executive Committee would not be preceded by a search and may be of indefinite duration. Appointment to positions of senior academic leadership without a national as well as a local search is inconsistent with University-mandated policy and customary practices of major research universities with respect to senior academic positions; **NOW, THEREFORE**

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY THAT

1. The Faculty Senate, unpersuaded by what it has heard so far, believes that the proposed restructuring is not in the best academic interest of the University and strongly urges the administration to reconsider this proposed plan; and

2. The Faculty Senate requests that the administration identify the concerns it believes need to be addressed; and
3. Further, the Faculty Senate urges that no fundamental changes of academic governance, academic budget authority, or significant personnel changes be made without additional study and active involvement of the faculty. Such study should be conducted with the understanding that, consistent with academic practice, the filling of a new position with major academic responsibilities requires a national and local search; and
4. Consistent with its role, as defined by the Faculty Code and the Faculty Organization Plan, the Faculty Senate is prepared to work with the administration, through a specially appointed committee, in determining avenues for the strengthening of the academic governance structure in order to achieve the University's academic goals as defined in the Strategic Plan for Academic Excellence.

Executive Committee of the Faculty Senate
September 11, 2002

Adopted September 13, 2002

**A RESOLUTION ON THE REGULATORY COMPLIANCE HELP AND
REFERRAL LINE (02/3)**

WHEREAS, on February 8, 2002, the Vice President and Treasurer, without consultation or advance notice to the faculty, invited members of the University community to file anonymous as well as self-identified complaints directed at any behaviors that the complainants deemed "unethical," illegal, or violative of any policies or regulations by calling a toll-free "Compliance Line," and

WHEREAS, on March 8, 2002, in Resolution 01/9, the Faculty Senate requested that the establishment of the "Compliance Line" and related procedures be suspended and referred for further study by the Faculty Senate and all relevant components of the administration of the University, and

WHEREAS, the "Compliance Line" was not suspended, and

WHEREAS, on April 12, 2002, the Faculty Senate approved Resolution 01/13 requesting administrative action on the implementation of Resolution 01/9, and

WHEREAS, thereafter a joint ad hoc committee of representatives of the Faculty Senate and the administration met and developed guidelines to attempt to assure that the "Regulatory Compliance Help and Referral Line" would be limited to referring complaints to already established offices of the University, that anonymous complaints would be discouraged, that it would not undertake its own investigations, that it would not maintain separate dossiers, in which people were identified by name, and that a joint committee of faculty and administration would be created to provide oversight; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON
UNIVERSITY**

That the Faculty Senate approves the efforts of the administration to address most of the perceived dangers of the "Compliance Line" and calls upon the administration to monitor it, with the assistance of the faculty, to assure that the guidelines are followed and regular reports made to the Senate.

BE IT FURTHER RESOLVED,

That the Faculty Senate requests that the following sentences be inserted at the end of the section entitled "Types of Concerns Addressed" on page 2 of the guidelines:

- (1) "Any issues relating to the University faculty would be addressed in accordance with the procedures established in the Faculty Code."

- (2) "Unless an allegation received through the Compliance Line is substantiated during subsequent investigative and/or hearing procedures that are conducted in accordance with applicable University policies and legal requirements, the allegation itself will not be used by the University as a basis for imposing any sanction against, or denying any benefit, privilege, or honor to, any faculty member, staff member, or student who is the subject of the allegation."

BE IT FURTHER RESOLVED,

That (1) the Faculty Senate believes that the "Allegation" category in Item 11 of the attachment, entitled "Workplace Conduct," is excessively vague and not in keeping with the section entitled "Types of Concerns Addressed" on page 2 of the guidelines; and (2) the Faculty Senate requests that the "Allegation" category in Item 11 either be deleted or be revised to refer to a specific violation of law, regulation, or University Policy.

Executive Committee of the Faculty Senate
October 2, 2002

Adopted, as amended, October 11, 2002

A RESOLUTION ON CHANGES TO THE FACULTY ORGANIZATION PLAN 02/4

WHEREAS, the Faculty Organization Plan, published in 1987, provides for representation on the Faculty Senate from: Columbian College of Arts and Sciences, the School of Education and Human Development, the School of Engineering and Applied Science, the School of Government and Business Administration, the National Law Center, the School of International Affairs, the Graduate School of Arts and Sciences, and the School of Medicine and Health Sciences; and

WHEREAS, the names of four Schools have been changed, one School has been eliminated, and one School has been established; and

WHEREAS, the Faculty Organization Plan should accurately identify the academic units as they now exist; and

WHEREAS, the Graduate School of Arts and Sciences has been merged into the Columbian College of Arts and Sciences; and

**WHEREAS, the School of Public Health and Health Services was established subsequent to the 1987 publication of the Faculty Organization Plan and therefore is not listed or assigned representation, as are all other Schools, on the Faculty Senate;
NOW, THEREFORE**

BE IT RESOLVED THAT THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY SUPPORTS THE ADOPTION OF THE FOLLOWING CHANGES TO THE FACULTY ORGANIZATION PLAN BY THE FACULTY ASSEMBLY:

- 1. All the Schools which comprise the academic unit of the University be accurately listed in Article I, Section 2 of the Faculty Organization Plan as follows: Columbian College of Arts and Sciences, the School of Medicine and Health Sciences, the Law School, the School of Engineering and Applied Science, the Graduate School of Education and Human Development, the School of Business and Public Management, the Elliott School of International Affairs, the School of Public Health and Health Services.**
- 2. References to the Graduate School of Arts and Sciences be deleted.**
- 3. The School of Public Health and Health Services be listed as one of the Schools of the University and allotted as are all other Schools representation on the Faculty Senate and on the Executive Committee.**
- 4. The School of Public Health and Health Services be allotted one elected member on the Faculty Senate and the Executive Committee.**

Executive Committee of the Faculty Senate

October 25, 2002

Adopted November 8, 2002